IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

-

WRIT PETITION NO : 881 of 1997

Between:

M.Sundaramma, W/o L.Siva Reddy,

Aged about 48 years, Teacher,
U.P.School, Sasannakota, Barigi Mandal, Ananthapur Dist.

..... PETITIONER

AND

1. The Managing Director, AP Co-Op Housing Societies Federation

Ltd., Baghlingampally, Hyd.
2. The Regional Manager, House Fed, Cuddapah.
3. The Co-Operative Sub-Registrar/Recovery officer, The AP Co-

Op Housing Societies Federation Ltd., Kurnool.
4 The President, Hindupur Teachers Co-Op Housing Societies

Federation Ltd. Hindupur, Ananthapur District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to pass orders particularly in the nature of mandamus declaring the impugned order of the 3rd respondent in Rc.No.5027/95/A5, dated 29.4.95 of the 1st respondent and impugned Notice of the 3rd respondent in Case No.1, dt.26.10.96 as arbitrary, illegal and violative of Art.14 and 21 of the constitution of India and consequently quash the same directing the respondents to make claim as per the proposals sent by the 4th respondent dt.1.2.95 from the Life Insurance corporation.

Counsel for the Petitioner: MR.KASAJAGANMOHAN REDDY

Counsel for the Respondents: MR.M.C.MAREPPA

The Court made the following:

ORDER:

Heard the counsel on record.

The Writ Petition is filed praying to issue Writ of Mandamus declaring the impugned order of the 3rd respondent in Rc No. 5027/95/A5, dated 29.04.1995 of the first respondent and impugned notice of the 3rd respondent in Case No.1, dated 26.10.1996 as arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India and consequently quash the same directing the respondents to make death claim as per the proposals sent by the 4th respondent dated 01.02.1995 from the Life Insurance Corporation and grant other such suitable relief.

The dispute appears to be in relation to the guarantee Agreement said to have been executed by the husband of the petitioner. Several objections in detail had been raised in the affidavit filed in support of the present Writ Petition, but there appears to be factual controversy.

The main grievance ventilated by the learned counsel for the Writ Petitioner is that without affording any opportunity to the petitioner the impugned proceedings are passed, there had been threats and therefore, the present Writ Petition had been filed by the Writ Petitioner.

In view of the facts and circumstances, the Writ Petitioner is given liberty to file all the objections before the third respondent relating to the present controversy and the third respondent to receive such objections and decide the same in accordance with law and pass appropriate orders within a period of three months from the date of receipt of a copy of this order. Till a decision is taken in this regard, no further steps to be initiated in pursuance of the impugned proceedings.

The Writ Petition is disposed of accordingly. No order as to costs.

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22-12-2004

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To

1. The Managing Director, AP Co-Op Housing Societies Federation

Ltd., Baghlingampally, Hyd.
2. The Regional Manager, House Fed, Cuddapah.
3. The Co-Operative Sub-Registrar/Recovery officer, The AP Co-

Op Housing Societies Federation Ltd., Kurnool.
4 The President, Hindupur Teachers Co-Op Housing Societies

Federation Ltd. Hindupur, Ananthapur District.

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